

State of California  
AIR RESOURCES BOARD

**EXECUTIVE ORDER R-11-006**

*Relating to the Public Hearing to Adopt a Regulation for Reducing Sulfur Hexafluoride Emissions from Gas Insulated Switchgear*

WHEREAS, on February 25, 2010, the Air Resources Board (ARB or Board) conducted a public hearing to consider adoption of a regulation for reducing sulfur hexafluoride emissions from gas insulated switchgear, as set forth in the Initial Statement of Reasons released to the public on January 7, 2010;

WHEREAS, following the public hearing, the Board adopted Resolution 10-1 in which the Board approved sections 95350, 95351, 95352, 95353, 95354, 95355, 95356, 95357, 95358, and 95359, title 17, California Code of Regulations, as set forth in Attachment A thereto, with the modifications set forth in Attachment B thereto;

WHEREAS, Resolution 10-1 directed the Executive Officer to take final action to adopt the regulatory amendments set forth in Attachments A and B thereto, and such other conforming modifications as may be appropriate, after making the modified regulatory language available to the public for a period of at least 15 days, provided that the Executive Officer shall consider such written comments as may be submitted during this period, shall make such further modifications as may be appropriate in light of the comments received or as necessary to ensure consistency with the modifications approved by the Board, and shall present the regulatory amendments to the Board for further consideration if he determines that this is warranted;

WHEREAS, on September 9, 2010, the approved regulations, with the changes to the originally proposed text clearly indicated, were made available for public comment for a period of at least 15 days, with the changes to the originally proposed text clearly indicated, in accordance with the provisions of section 44, title 1, California Code of Regulations;

WHEREAS, written comments received during the 15-day comment period were considered by the Executive Officer and did not require modification or reconsideration by the Board.

WHEREAS, the Executive Officer adopted the sulfur hexafluoride gas insulated switchgear regulation by Executive Order R-10-020, dated December 15, 2010, and submitted the rulemaking package to the Office of Administrative Law for review in accordance with the California Administrative Procedure Act (APA);

WHEREAS, on February 9, 2011, the Office of Administrative Law issued a decision of partial disapproval of regulatory action;

WHEREAS, modifications to the approved regulations were made in order to correct the deficiencies specified in the Decision of Partial Disapproval of Regulatory Action by the Office of Administrative Law;

WHEREAS, the modifications were made available for a second 15-day comment period starting April 11, 2011, in accordance with the provisions of section 44, title 1, CCR, with the modifications clearly indicated; and

WHEREAS, no comments were received during the second 15-day comment period.

NOW, THEREFORE, IT IS ORDERED that the recitals and findings contained in Resolution 10-1 are incorporated by reference herein.

IT IS FURTHER ORDERED that California Code of Regulations, title 17, section 95356, is adopted as set forth in Attachment 1 hereto.

Executed this 19<sup>th</sup> day of May 2011, at Sacramento, California.

/s/  
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James N. Goldstene  
Executive Officer

Attachment